

FISCAL IMPACT STATEMENT ON BILL NO. **H.3171, as Amended**

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Kenneth Brown, Rodney Grizzle, Beth Quick		
DATE:	March 2, 2009	SBD:	2009231

AUTHOR:	Representative J.E. Smith	PRIMARY CODE CITE:	63-5-900
SUBJECT:	Military Parent Equal Protection Act		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

Minimal (Some additional costs are expected but can be absorbed)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No Additional Expenditure or Savings are Expected)

BILL SUMMARY:

The Bill would enact the "Military Parent Equal Protection Act" providing that a military parent's military service not be considered a change in circumstance for purposes of child custody and visitation, provide that the custodial nonmilitary parent must reasonably accommodate the military parent's leave schedule, that the family court may hold an expedited temporary hearing to ensure that the military parent has access to a minor child, and that an increase or decrease in earning capacity due to military service is not considered a permanent change, and adds Section 15-1-340 to provide that a service member entitled to a stay pursuant to the service members civil relief act may seek relief and provide testimony by electronic means under certain conditions.

EXPLANATION OF IMPACT:

Judicial Department

The Department indicates this Bill will have a minimal impact on the General Fund of the State, which can be absorbed by the agency at current level of funding. Due the nature of family court hearings, compliance with the Act will require more time on the part of the family court judge and therefore delay the court docket. There would be no impact on Federal and/or Other funds.

Other Agencies

The Department of Social Services and the Adjutant General's Office indicate this Bill would have no impact on the General Fund of the State or on Federal and/or Other Funds.

SPECIAL NOTES:

None.

Approved by:



Harry Bell
Assistant Director, Office of State Budget